

### REMARKS

Claims 19-28 are pending in this application, with each of Claims 19-28 being independent. Claims 1-18 have been cancelled without prejudice, and new Claims 19-28 have been added.

Applicants submit that support for the amendments can be found in the original application at least, for example, at page 9, lines 20-25 and page 15, lines 23-26. Therefore, no new matter has been added.

Claim 1-18 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,687,802 (Kori et al.). Applicants respectfully traverse this rejection for the reasons traversed below.

As recited in independent Claim 19, the present invention includes, *inter alia*, the feature of adding a sampling program to a digital content, the sampling program being automatically activated to sample information embedded as an electronic watermark in the digital content. With this feature, it is possible to ensure that an unauthorized user cannot make use of the digital content containing embedded electronic watermark information. The sampling program is added as part of the content and automatically activates to sample the information embedded as an electronic watermark. Applicants submit that the cited art fails to disclose or suggest at least this feature.

Kori et al. discloses that content ID, SCMS information, and allowed copy times are embedded as an electronic watermark in a digital audio signal, and the signal is compressed with the embedded items as additional information. However, although that patent discloses embedding information that may be used for utilization control, that patent does not disclose or suggest adding a sampling program to a digital content to automatically sample information embedded in the digital content as an electronic watermark.

Accordingly, Applicants submit that the cited art fails to disclose or suggest the present invention recited in independent Claim 19. Claims 20-25 recite a similar feature and are believed to be patentable for similar reasons.

As recited in independent Claim 26, the present invention includes, among others, the feature of adding a sampling program to an application program for utilizing digital content, the sampling program being automatically activated to sample information embedded as an electronic watermark in the digital content. Applicants submit that Kori et al. likewise fails to disclose or suggest at least this feature, and therefore Claim 26 is also patentable over the art of record. Independent Claims 27 and 28 recite a similar feature and are believed patentable for similar reasons.

In view of the foregoing, Applicants submit that this application is in condition for allowance. Favorable reconsideration and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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